

MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION

February 26, 2008

9:30 AM

OPEN SESSION

1. CALL TO ORDER - The meeting of the Board of Technical Registration was called to order at 9:35 AM by Chairman Richard Pawelko.
2. ROLL CALL - Board Members in Attendance: Sheila Bowen, Karen Cesare, Dawn Garcia, Stuart Lane, Richard Pawelko, Chet Pearson, Susan Schaefer Kliman, and Ronald Starling. Absent: Robert Roos. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Lawhorn, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Terrie Sanders.
3. CALL TO THE PUBLIC – Ms. Rhonda Urtuzuastegui, Associate Broker, US Preferred Realty, addressed the Board regarding the Home Inspector program and the costs of doing business as a home inspector in Arizona.
4. ADOPTION OF MINUTES – Dr. Schaefer Kliman moved to approve the January 22, 2008 minutes with minor corrections. Ms. Garcia seconded. Motion Carried.
5. ENFORCEMENT MATTERS
Review, Consideration and Possible Vote on the following:
 - A. Proposed Dismissal
 1. M08-013, Michael A. Green, RLA #19864 – Ms. Cesare moved to issue a Letter of Concern to Mr. Green regarding practicing outside his area of registration by preparing plans that have the appearance of being a subdivision plat. Mr. Lane seconded. After discussion, Motion Carried.
 - B. Proposed Consent Agreements
 - 1.a. M06-087, Mohammed M. Siddiqui, P.E. (Structural) #34178 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Voluntary surrender of Respondent's P.E. (Structural) #34178 registration, and Assurance of Discontinuance of land surveying in the state of Arizona. Mr. Starling seconded. After discussion, Motion Carried.

1.b. M06-195, Mohammed M. Siddiqui, P.E. (Structural) #34178 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Voluntary surrender of Respondent's P.E. (Structural) #34178 registration, and Assurance of Discontinuance of land surveying in the state of Arizona. Mr. Starling seconded. After discussion, Motion Carried.

1.c. M06-198, Mohammed M. Siddiqui, P.E. (Structural) #34178 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Voluntary surrender of Respondent's P.E. (Structural) #34178 registration, and Assurance of Discontinuance of land surveying in the state of Arizona. Mr. Starling seconded. After discussion, Motion Carried.

1.d. M06-241, Mohammed M. Siddiqui, P.E. (Structural) #34178 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Voluntary surrender of Respondent's P.E. (Structural) #34178 registration, and Assurance of Discontinuance of land surveying in the state of Arizona. Mr. Starling seconded. After discussion, Motion Carried.

C. Proposed Peer Reviewer Candidates

1. M05-174 and M06-293, Raad M. Salih, P.E. (Civil) #34016 – Mr. Starling moved to accept Thomas G. Coppin, P.E. (Civil) #32582 and Wallace R. Haws, P.E. (Civil) #11582 and Land Surveyor #17375 as peer reviewers. Mr. Lane seconded. After discussion, Motion Carried.

6. HOME INSPECTOR ENFORCEMENT MATTERS

Review, Consideration and Possible Vote on the following:

A. Proposed Consent Agreements

1. M06-080, Daniel E. Glines, CHI #38850 – Ms. Garcia moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$300.00; Probation: Respondent's certification shall be placed on probation until restitution has been made in the amount of \$250.00 to James Starrett; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days, passing with a 100% score; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$220.00. Dr. Schafer Kliman seconded. After discussion, Motion Carried.

2. HI07-061, Patrick A. Oekerman, CHI #38598 – Ms. Bowen moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$1,000.00; Probation: Respondent's certification shall be placed on probation until restitution has been made in the amount of \$275.00 to Jerry Pulley; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days,

passing with a 100% score; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$156.00. Ms. Cesare seconded. After discussion, Motion Carried.

3. M05-301, Steven P. Schexneider, CHI #38664 – Mr. Lane moved to accept Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$300.00; Open Book Test: Respondent shall take and complete an open book test of the Board's Statutes and Rules within 30 days, passing with a 100% score and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$280.00. Dr. Schafer Kliman seconded. After discussion, Motion Carried.

7. DRUG LABORATORY SITE REMEDIATION MATTERS

Review, Consideration and Possible Vote on the following:

A. Discussion and Consideration:

1. DL07-014, Arthur and Christine King, Nonregistrants – Mr. Lane moved to accept staff recommendation to close this case as the Respondents have paid restitution in the amount of \$10,855.00 for the cost of remediation to the new property owners as acceptable resolution to the case. The property has been remediated. No further action is deemed necessary. Dr. Schaefer Kliman seconded. After discussion, Motion carried.

B. Enforcement Advisory Committee Candidate

1. Philip McNeely, R.G. #30440 – Mr. Lane moved to approve Mr. McNeely as a drug laboratory site remediation Enforcement Advisory Committee member. Ms. Bowen seconded. After discussion, Motion Carried.

8. Review, Consideration and Possible Vote on the following:

EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION

1. Jorge Gonzales – Architect Examination. Dr. Schaefer Kliman moved to allow Mr. Gonzales to sit for the Architectural Examination. Ms. Garcia seconded. After discussion, Motion Carried.

2. William Vittal – Environmental Engineer Examination. Mr. Pearson moved to allow Mr. Vittal to sit for the Professional Engineer Examination. Ms. Bowen seconded. After discussion, Motion Carried.

3. George Liebson – P.E. (Mechanical) Registration. Mr. Pearson moved to accept Mr. Liebson's application for registration. Ms. Bowen seconded. After discussion, Motion Carried.

4. Patrick Mwamba – P.E. (Civil) Registration. Ms. Bowen moved to accept Mr. Mwamba's application for comity registration. Ms. Garcia seconded. After discussion, Motion Carried.

5. Thomas Posko – P.E. (Mechanical) Registration. Mr. Pearson moved to accept Mr. Posko's application for registration. Ms. Garcia seconded. After discussion, Motion Carried.

**9. Review, Consideration and Possible Vote on the following:
EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND
POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST
AVAILABLE AT BOARD OFFICE)**

1. Granting of professional or in-training registration
2. Approval to sit for the professional or in-training examination
3. Recommendation for denial of professional or in-training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 9.1 through 9.3. Ms. Cesare seconded. After discussion, Motion Carried.

10. Review, Consideration and Possible Vote on the following:

1. A.A.C. R4-30-304(E)(4) – Expiration Date – Grace period. Mr. Lane moved to allow a grace period of 180 days from the effective date of the new rule requiring registrants to indicate the expiration date of their registration beneath their professional seal. Dr. Schaefer Kliman seconded. The new rule goes into effect March 8, 2008. Allowing the 180 day grace period gives the Board discretion to send notification to the registrant of the new requirement when a complaint is filed through September 4, 2008. After discussion, Motion Carried.

2. Report regarding the Structural Taskforce for NCEES. Mr. Starling advised NCEES is in the process of re-evaluating and rewriting the structural engineering examination.

Ms. Bowen advised the Uniform Procedures (UP) and Legislative Guidelines (LG) Committee of the NCEES met to review Charge #3. Charge #3 was to review the Model Law for Grandfathering of Registrants once the Master of BS plus 30 credits goes into effect. The Committee also reviewed the Model Law for sustainability.

11. DIRECTOR'S REPORT

1. Bruce Hubbard, HI07-097 – Mr. Dalrymple provided the background on this matter to the Board.

Mr. Lane moved to go into Executive Session. Dr. Schaefer Kliman seconded. Motion Carried.

The Board went into Executive Session at 9:46 AM and returned to Open Session at 9:54 AM.

Bruce and Shannon Hubbard addressed the Board regarding their opinions of the Home Inspector Program, the Consent Agreement Mr. Hubbard executed and personnel issues Mr. Hubbard raised in his correspondence. Mr. Pawleko advised Mr.

Hubbard the Consent Agreement he signed and the Board accepted on September 25, 2007 resolved the case; the Board did not have the authority to hear any appeal on the case.

Mr. Pawelko also advised Mr. Hubbard the concerns he raised regarding staff have been taken under advisement and dealt with.

2. Legislative Activity Related to the Budget

SB 1171 (repeal of the Board) has not had a hearing in either senate committee as of February 25, 2008. The last day for a bill to clear all assigned committees in the chamber of origin is February 29, 2008.

SB 1345 (Architectural Specialist Certification) will be heard by a senate committee at 9:00 AM on February 28, 2008.

SB 2077 (Home Inspector Rules and Standards Committee) changes the minimum number of members needed for an association to be eligible to recommend someone for appointment to the rules and standards committee to forty.

12. BOARD CHAIR'S REPORT – No report given.

13. FUTURE BOARD MEETINGS – Tuesday, March 25, 2008 at 9:30 AM

14. FUTURE AGENDA ITEMS


1. Data Gathering for GIS. (Lane)
2. Use of "Architect" by Nonregistrant. (Pawelko)

15. ADJOURNMENT – Meeting adjourned at 11:08 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION



Richard Y. Pawelko, Chairman


Ronald W. Dalrymple, Executive Director

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

BOARD/COMMITTEE MEETING SIGN-IN SHEET

Date: February 26, 2008

If you wish to address the Board or Committee, please sign below. Otherwise, sign-in is voluntary.

	Name (please print)	Affiliation	Subject
11	1. B Scott Hubbard	HOMEWERX INC	
	2. Rhonda Antuzastegui	Associate Broker US Preferred Realty	Cost to Consumers
11	3. Shannon Hubbard	self	BTR problems
8.4	4. Patrick Mwanika	Self	Exam
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